

Book

DISCIPLINARY REVIEW BOARD

OF THE

SUPREME COURT OF NEW JERSEY

LEE M. HYMERLING, ESQ., CHAIR
ELIZABETH L. BUFF, VICE-CHAIR
MICHAEL R. COLE, ESQ.
HON. PAUL R. HUOT
MARY J. MAUDSLEY, ESQ.
ROCKY L. PETERSON, ESQ.
BARBARA F. SCHWARTZ
WILLIAM H. THOMPSON, D.D.S.
JAMES R. ZAZZALI, ESQ.



RICHARD J. HUGHES JUSTICE COMPLEX
CN 962
TRENTON, NEW JERSEY 08625
(609) 292-1011

ROBYN M. HILL
CHIEF COUNSEL
ISABEL FRANK
DEPUTY CHIEF COUNSEL
PAULA T. GRANUZZO
LILLIAN LEWIN
ASSISTANT COUNSEL
DONA S. SEROTA-TESCHNER
DEPUTY COUNSEL

February 15, 1996

**Certified Mail - R.R.R.
and Regular Mail**

Robert J. Mascenik, Esq.
1100 Green Street
Iselin, New Jersey 08830

RE: **In the Matter of Robert J. Mascenick**
Docket No. DRB 95-432
LETTER OF ADMONITION

Dear Mr. Mascenik:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, you were retained by Patrick Margiatto to represent him in connection with injuries sustained in a 1988 accident with gymnastic apparatus. Although you learned in April 1992 that the complaint had been dismissed without prejudice for failure to appear at an arbitration hearing, you did not inform your client that the matter was dismissed and you took no action to reinstate the complaint. You also failed to reply to your client's numerous requests for information about the status of the case. Your conduct was unethical and in violation of RPC 1.3 and RPC 1.4(a).

In imposing only an admonition, the Board considered that at the time you were beset by serious difficulties, including the foreclosure of your residence, the effect that the downturn in the real estate market had on your practice, and your alcohol-abuse problem. The Board also noted that you have taken steps towards sobriety, including voluntary participation in the "Lawyers Concerned for Lawyers Program."

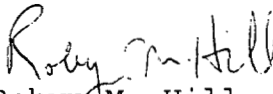
Robert J. Mascenik, Esq.
February 15, 1996
Page Two

Your conduct adversely reflected not only upon you as an attorney but also upon all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R.1:20-15(f)(4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, it will be taken into consideration.

The Board has also directed that the costs of the disciplinary proceedings be assessed against you. An affidavit of costs will be forwarded under separate cover.

Very truly yours,


Robyn M. Hill

RMH/dm

c: Chief Justice Robert N. Wilentz
Associate Justices
Stephen W. Townsend, Clerk
Supreme Court of New Jersey
Lee M. Hymerling, Esq., Chair
Disciplinary Review Board
David E. Johnson, Jr., Esq., Director
Office of Attorney Ethics
Julius Feinson, Esq., Chair
District VIII Ethics Committee
Manny Gerstein, Esq., Secretary
District VIII Ethics Committee
Richard W. Kracht, Esq.,
Counsel for Respondent
Patrick Margiatta, Grievant